

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action No. 08-33 GMS
	)	
WENDELL GLOVER,	)	
	)	
Defendant.	)	

**ORDER**

WHEREAS, on March 27, 2008, the court issued an Order (D.I. 2) directing the parties in the above-captioned case to appear for an initial appearance/change of plea hearing (the “plea hearing”) on Tuesday, April 1, 2008, at 2:00 p.m.;

WHEREAS, on March 31, 2008, at 3:50 p.m., staff from Joseph Hurley, Esq.’s (“Mr. Hurley”) office placed an ex parte<sup>1</sup> telephone call to the court, advising that Mr. Hurley would be unable to appear for the plea hearing;

WHEREAS, on April 1, 2008, staff from Mr. Hurley’s office placed another telephone call to the court, stating that the government did not oppose a continuance of the plea hearing;

WHEREAS, on April 1, 2008, the defendant appeared for the plea hearing and was advised by court personnel that his attorney was not going to be present and the matter was to be rescheduled;

WHEREAS, on that same date, the court placed a telephone call to Mr. Hurley’s office, inquiring why the defendant was not notified that the plea hearing was to be rescheduled;

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<sup>1</sup> The court’s rules preclude ex parte calls to chambers. *See* <http://www.ded.uscourts.gov/GMSmain.htm> (“Absent exceptional situations, telephone calls are not appropriately placed to chambers. Chambers shall be contacted *only* in situations where scheduling relief is sought and *only* then when ALL participating counsel are on the line for purposes of selecting a new date.”)

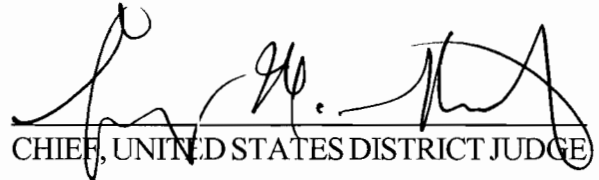
WHEREAS, Mr. Hurley's staff advised the court that Mr. Hurley had directed the defendant to appear for the plea hearing; and

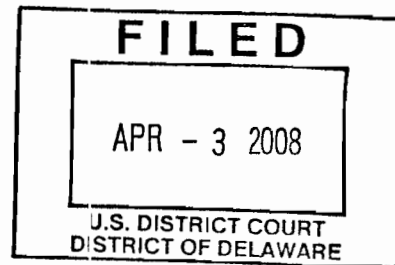
WHEREAS, the court expects *attorneys*<sup>2</sup> who practice before it to be familiar with, and follow, its rules and procedures;

IT IS HEREBY ORDERED that:

1. Mr. Hurley shall SHOW CAUSE as to why he should not be held in contempt of the court's March 27, 2008 Order for failing to follow the court's rules and failing to appear with his client at the April 1, 2008 plea hearing.
2. The show cause hearing will immediately follow the plea hearing on April 9, 2008.

Dated: April 3, 2008

  
CHIEF, UNITED STATES DISTRICT JUDGE



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<sup>2</sup> To be clear, the court does not place responsibility for this incident on Mr. Hurley's staff but, rather, on Mr. Hurley, as he should be familiar with this court's rules and procedures, having appeared before it for many cases.